Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Nuclear disarmament

Working paper submitted by the Islamic Republic of Iran

I. Introduction

1. The present paper contains the main views of the Islamic Republic of Iran concerning nuclear disarmament. It outlines the global measures towards nuclear disarmament during the past 72 years, assesses the achievements and identifies the challenges related to the implementation of obligations under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and the unequivocal undertakings by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament. It also includes a set of recommendations to the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on the way forward to achieve the objective of a nuclear-weapon-free world.

II. Nuclear disarmament: a 72-year-old strong global demand

2. The unspeakable death and destruction caused by the horrible nuclear attacks on Hiroshima and Nagasaki in 1945 proved that nuclear weapons, as the most horrendous weapons, are unique in their destructive power; in the unspeakable human suffering they cause; in the impossibility of controlling their effects in time and space; and in the threat they pose to the environment, to future generations and indeed to the survival of humanity. Accordingly, the only absolute guarantee against the use or threat of use of nuclear weapons is their total elimination and assuring that they will never be produced again. Since then, nuclear disarmament and the total elimination of nuclear weapons has always been the highest global priority in the context of disarmament and arms control, which still continues to be supported by the overwhelming majority of the world's nations. Hence, it is a 72-year-old global demand pursued at the regular and special sessions of the General Assembly, multilateral disarmament machinery and transregional, regional and subregional organizations and forums, as well as through the establishment of nuclear-weapon-

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free zones and the efforts and initiatives of academia, parliamentarians, non-governmental organizations and civil society. With no doubt, the advisory opinion of 8 July 1996 of the International Court of Justice on the legality of the threat or use of nuclear weapons is of utmost importance in highlighting the legal obligation of the nuclear-weapon States on nuclear disarmament. In recent years, it has been complemented by the worldwide attention given to the humanitarian impact of nuclear weapons. More importantly, nuclear disarmament has been the main purpose of the Non-Proliferation Treaty, which was followed in both its negotiation process and Review Conferences.

3. On 24 January 1946, the very first resolution of the first session of the General Assembly — as the primary policymaking and representative body of the United Nations composed of representatives of all Member States — unanimously called for the total elimination of nuclear weapons. During the past 72 years, the Assembly, by adopting well over hundreds of resolutions, has continued to stress the urgent need for the intensified global efforts to rid the world of the scourge of these inhumane weapons through their total elimination.

4. The first special session of the General Assembly devoted to disarmament, in 1978, was indeed a turning point in promoting the international disarmament agenda and machinery. Through the Final Document of that session, the Assembly acknowledged that "nuclear weapons pose the greatest danger to mankind and to the survival of civilization", since the "existing arsenals of nuclear weapons alone are more than sufficient to destroy all life on earth". While referring to mankind's only choices, to "proceed to disarmament or face annihilation", the Assembly identified removing such a threat as "the most acute and urgent task". It therefore called for effective measures aimed at "nuclear disarmament and the complete elimination of nuclear weapons" as the highest priority. At the same time, on several occasions, the Assembly underlined that the nuclear-weapon States, in particular those among them that possess the most important nuclear arsenals, "have the primary responsibility for nuclear disarmament". In this context, the Assembly also identified "the 'political will' of States, especially of those possessing nuclear weapons" as "the decisive factor for achieving real measures of disarmament".

5. On another important occasion, the first ever high-level meeting of the General Assembly on nuclear disarmament, on 26 September 2013, the General Assembly, while underlining the strong support, expressed at that meeting, "for taking urgent and effective measures to achieve the total elimination of nuclear weapons", called "for urgent compliance with the legal obligations and the fulfilment of the commitments undertaken on nuclear disarmament". Moreover, by endorsing "the wide support expressed at the high-level meeting for a comprehensive convention on nuclear weapons", the Assembly called "for the urgent commencement of negotiations in the Conference on Disarmament for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use and to provide for their destruction". Additionally, the Assembly designated "26 September as the International Day for the Total Elimination of Nuclear Weapons devoted to furthering this objective, including through enhancing public awareness and education about the threat posed to humanity by nuclear weapons and the necessity for their total elimination, in order to mobilize international efforts towards achieving the common goal of a nuclear-weapon-free

world", and also decided "to convene, no later than 2018, a United Nations high-level international conference on nuclear disarmament to review the progress made in this regard", which, in fact, would provide the international community of States with a valuable opportunity to advance nuclear disarmament.

6. Parallel to the efforts of the General Assembly, intense efforts on nuclear disarmament continued since the establishment of the multilateral disarmament machinery, that is, the Conference on Disarmament, the United Nations Disarmament Commission and the First Committee of the General Assembly, through which many proposals were made on how to eliminate these inhumane weapons entirely and what interim steps and long-term measures are required to achieve this objective.

7. In addition, the endeavours aimed at nuclear disarmament by the transregional, regional and subregional organizations and forums, such as those of the Non-Aligned Movement and the African Union, should be highlighted. For instance, the Heads of State and Government of the Non-Aligned Movement, in the final documents of the Sixteenth and Seventeenth Summits of the Movement, held in Tehran from 26 to 31 August 2012 and on Margarita Island, Bolivarian Republic of Venezuela, on 17 and 18 September 2016, respectively, stressed their "concern at the threat to humanity posed by the continued existence of nuclear weapons and of their possible use or threat of use" and "reaffirmed the Movement's principled position on nuclear disarmament, which remains its highest priority". They also "reiterated deep concern over the slow pace of progress towards nuclear disarmament and the lack of progress by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals in accordance with their relevant multilateral legal obligations". The Movement also took the initiative of convening the first ever high-level meeting of the General Assembly on nuclear disarmament, on 26 September 2013, during which President Rouhani of the Islamic Republic of Iran presented, on behalf of 120 States members of the Non-Aligned Movement, a three-point proposal on nuclear disarmament (as explained in paragraph 5 above). The proposal was supported by many of the representatives of the political and geographical groups, Member States and civil society participating in that meeting and was subsequently adopted by the Assembly in its resolutions 68/32, 69/58, 70/34 and 71/71 on the follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament.

8. Equally important are the valuable measures at the regional level to establish nuclear-weapon-free zones, including in Latin America, Africa and different parts of Asia, which led to the absence of nuclear weapons in the respective territories of States parties to the treaties establishing such zones. Likewise, the efforts and initiatives of academia, parliamentarians, non-governmental organizations and civil society in enhancing public awareness and education about the threat posed to humanity by nuclear weapons and the necessity for their total elimination should never be underestimated.

9. The role of the advisory opinion of 8 July 1996 of the International Court of Justice on the legality of the threat or use of nuclear weapons also should be highlighted, through which the Court unanimously concluded that "there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international

control". Since then, the General Assembly, through its resolutions on the subject, has persistently called upon "all States immediately to fulfil that obligation by commencing multilateral negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination".

10. The recent worldwide attention given to the humanitarian impact of nuclear weapons, manifested in the active participation of States and civil society at the three conferences on the subject, held in 2013 in Norway, in February 2014 in Mexico and in December 2014 in Austria, respectively, enhances and complements the unanimous conclusion of the International Court of Justice that "there is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons" and the acknowledgement by the General Assembly, in its various resolutions, "that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity". These conferences provided the international community of States with a new forum to underline the catastrophic humanitarian, environmental and developmental impacts of a possible nuclear weapon detonation and thereby underscored the urgency and the essentiality of the need for nuclear disarmament.

11. The application of 25 April 2014 of the Republic of the Marshall Islands before the International Court of Justice against nuclear weapon possessors, on the *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament*, should also be recalled as a new development in the context of the international efforts to achieve nuclear disarmament. This application, by accusing the nuclear weapon possessors of not fulfilling their obligations with respect to the cessation of the nuclear arms race at an early date and to nuclear disarmament — in particular by contending that "by not actively pursuing negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament", the concerned States parties to the Non-Proliferation Treaty have "breached" and continue to breach their "legal duty" to perform their "obligations under the [Treaty] and customary international law in good faith" — requests the Court to order them "to take all steps necessary to comply with" their "obligations under article VI of the Treaty and under customary international law within one year of the judgment, including the pursuit, by initiation if necessary, of negotiations in good faith aimed at the conclusion of a convention on nuclear disarmament in all its aspects under strict and effective international control". As it has been said, this unprecedented application, which "challenges the very legitimacy and legality of nuclear weapons possession" and rejects the view that there are legitimately held nuclear weapons, is one of the indicators of the existing attitudes and perceptions on the need for the total elimination of nuclear weapons.

12. Nevertheless, negotiating history and the text and the context of the Treaty on the Non-Proliferation of Nuclear Weapons, as well as the content of the outcome documents of its Review Conferences, confirm that one of the most — if not the most — important efforts towards nuclear disarmament has been made within the framework of this universal legally binding instrument. As clearly stated by the non-nuclear-weapon States before and during the negotiations leading to the conclusion of the Treaty, nuclear disarmament was the main incentive and objective.

They considered the Treaty "not an end in itself, but only a means to an end", that is, "the achievement of nuclear disarmament". It was based on this fundamental assumption that the non-proliferation of nuclear weapons, however positive it may be, derives its legitimacy from the larger objective of nuclear disarmament.

13. Subsequently, the parties to the Treaty declared, in its preamble, "their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament" and urged "the cooperation of all States in the attainment of this objective". Moreover, through its article VI, each of the parties to the Treaty undertook "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament". Additionally, the non-nuclear-weapon States parties to the Treaty ratified it on the basis of this essential assumption and fundamental agreement that the implementation of the Treaty would and should lead to a nuclear-weapon-free world. Definitely, they never intended to become party to a Treaty that divides States to the nuclear-weapon-haves and the nuclear-weapon-have-nots and legitimizes the indefinite possession of such inhumane and dangerous weapons by certain countries. The purpose of the Treaty is not about only preventing non-nuclear-weapon States from acquiring nuclear weapons; it is also about an inherently linked objective to this goal, that is, disarming nuclear-weapon States. The Treaty is about the elimination of all nuclear weapons, which is the only absolute guarantee against their scourge. The main purpose of the Treaty is that no one should have nuclear weapons. It is aimed at a nuclear-weapon-free world.

14. Demands for the full and immediate fulfilment of the obligations on nuclear disarmament under the Treaty have continued in its Review Conferences. In this context, important specific decisions regarding nuclear disarmament were made at the 1995, 2000 and 2010 Review Conferences. The 1995 Review and Extension Conference, in its decision 2, on principles and objectives for nuclear non-proliferation and disarmament, concluded that: "The undertakings with regard to nuclear disarmament as set out in the Treaty on the Non-Proliferation of Nuclear Weapons should thus be fulfilled with determination. In this regard, the nuclear-weapon States reaffirm[ed] their commitment, as stated in article VI, to pursue in good faith negotiations on effective measures relating to nuclear disarmament." Moreover, the Conference highlighted the importance of "determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons". Afterwards, the 2000 Review Conference agreed on the 13 "practical steps for the systematic and progressive efforts to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 decision on principles and objectives for nuclear non-proliferation and disarmament", which includes "an unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI".

15. Additionally, "in pursuit of the full, effective and urgent implementation of article VI of the Treaty" and building upon the aforesaid decisions, as well as reaffirming "the continued validity of the practical steps agreed to in the Final Document of the 2000 Review Conference", the 2010 Review Conference, through its conclusions and recommendations for follow-on actions, agreed on a 22-point

"action plan on nuclear disarmament, which includes concrete steps for the total elimination of nuclear weapons". Through this action plan, "the Conference reaffirms the unequivocal undertaking of the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament", "reaffirms the urgent need for the nuclear-weapon States to implement the steps leading to nuclear disarmament agreed to in the Final Document of the 2000 Review Conference", "affirms the need for the nuclear-weapon States to reduce and eliminate all types of their nuclear weapons" and "reaffirms and recognizes that the total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons". Likewise, by virtue of the action plan, "the nuclear-weapon States commit to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons". The Conference also decided to consider, during the 2015 Review Conference, "the next steps for the full implementation of article VI". Needless to say that due to the failure of the 2015 Review Conference, such steps should be considered by the 2020 Review Conference.

III. Nuclear disarmament: 47-year-old unfulfilled obligations and commitments

16. After 47 years since the entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons, its States parties need to assess what the above facts and other figures are indicative of. What are the fulfilled and unfulfilled obligations and commitments on nuclear disarmament? In other words, where does the world stand now in terms of the number and destructive power of nuclear weapons? Is the present world more secure or more dangerous than that of the past? In addition, what are the challenges in the face of real progress for the establishment of a nuclear-weapon-free world to secure the present and upcoming generations against the horrendous threat of nuclear weapons?

17. The aforesaid facts and other figures and realities in the context of nuclear disarmament-related issues suggest that:

(a) During the past 72 years, not only has the demand for nuclear disarmament and the total elimination of nuclear weapons not declined but, quite the opposite, has severely been heightened, inter alia, as a result of the qualitative and quantitative improvement of such weapons by the nuclear-weapon States, which at some points were enough even to effectively end all human life on the planet several times over. The recent intensified international efforts, represented, in part, in the first ever high-level meeting of the General Assembly on nuclear disarmament, on 26 September 2013, and the three Conferences on the Humanitarian Impact of Nuclear Weapons, in 2013 and 2014, suggest that this demand continues to be pursued with determination and strong resolve;

(b) The active participation of States and civil society at the three Conferences on the Humanitarian Impact of Nuclear Weapons is a clear symbol of worldwide attention to the need for the total elimination of nuclear weapons and suggests that the present generation is not deceived by such arguments that as we experienced over seven decades a record of non-use of nuclear weapons, it is unlikely that they will ever be used again. On the contrary, today, the peoples of the world believe that our planet still is heavily booby-trapped with thousands of

nuclear warheads, and unless they are eliminated completely, they will almost certainly be used again, either intentionally or by accident, and in either case the consequences will be catastrophic, since the existing nuclear weapons have enough destructive power to transform the Earth into a dead planet. Tens of mishaps that might have started accidental nuclear war and other nuclear-weapon accidents, many of which remain unknown to the public, confirm this assessment. Unfortunately, some such accidents resulted in the loss of a number of nuclear weapons, a few of them still left on the ocean floor outside of any control, and sooner or later their poisonous material will leak into this common heritage of mankind;

(c) The adoption of the Comprehensive Nuclear-Test-Ban Treaty, with all its imperfections, was indeed a step in the right direction. However, the first country that signed that Treaty and still fails to ratify it continues to defy its object and purpose by resorting to "today's modern world of virtual capacity, computerization and artificial intelligence". Accordingly, nuclear-weapon States refraining from its ratification has not allowed for its entry into force over 20 years after its adoption. More importantly, the efforts of nuclear-weapon States in modernizing their nuclear weapons and developing new types of such weapons, including by conducting nuclear-weapon tests in alternative ways — that clearly contradict the object and purpose of the Non-Proliferation Treaty — are other sources of grave concern with regard to nuclear disarmament. In this context, one should recall the 2014 application before the International Court of Justice on the *Obligations concerning Negotiations relating to Cessation of the Nuclear Arms Race and to Nuclear Disarmament* by the Republic of the Marshall Islands, a country that continues to suffer from 67 nuclear weapons detonated over the Islands from 1946 to 1958, one of which, Castle Bravo, was around 1,000 times more powerful than each of the atomic bombs dropped on Hiroshima and Nagasaki. The long-lasting effects of such detonations on the Islands and its people prove how devastating and uncontrollable the effects of nuclear weapon detonations are on the environment and human life, even the generations as yet unborn, and how urgent the need for the total elimination of such weapons is;

(d) The increase in the number of States parties to the Non-Proliferation Treaty during the past 47 years is, of course, a great achievement. However, its failure in gaining the universal characteristic remains a serious challenge to its effectiveness. As "zero" is called as "the only safe number of nuclear weapons on the planet", without doubt, "zero is the only acceptable number of countries outside the Non-Proliferation Treaty". Accordingly, only the universalization of this fundamental instrument can ensure its effectiveness and continued relevance;

(e) There exists a 47-year-old explicit legal obligation to achieve nuclear disarmament leading to the total elimination of all nuclear weapons and certain decisions made and agreements reached within the context of the Review Conferences of the Treaty to make progress on their implementation. Adoption of the 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty by the 2000 Review Conference and a 22-point action plan on nuclear disarmament by the 2010 Review Conference are among such decisions;

(f) Even though the incomplete, selective and discriminatory implementation of the Treaty provisions is considered one of its challenges that

needs to be effectively addressed, its main implementation challenge is the lack of real progress in the fulfilment of nuclear disarmament obligations under article VI of the Treaty by all the nuclear-weapon States and the breach, by certain nuclear-weapon States, of their nuclear non-proliferation obligations under articles I and III of the Treaty, represented, inter alia, in their nuclear-weapon-sharing policies and their direct or indirect assistance to countries outside the Treaty to develop nuclear weapons;

(g) It cannot be denied that the adoption of the 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty and the 2010 action plan on nuclear disarmament renewed hopes, at least during the 2000 and 2010 Review Conferences, about the implementation of the obligations under article VI of the Treaty. Nevertheless, the lack of substantive progress in their implementation so far, as proved by the assessments made on the implementation status of the 13 practical steps and the 2010 action plan on nuclear disarmament, has regrettably deepened the already existing frustration of the non-nuclear-weapon States about the lack of political will on behalf of the nuclear-weapon States in fulfilling their legal obligations under article VI of the Treaty and their unequivocal undertaking to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament. It is a source of deep concern that the most optimistic assessments do not confirm that even one action out of 22 actions of the 2010 action plan on nuclear disarmament is completely implemented. These facts, along with the inability of the 2015 Review Conference to adopt an outcome document, illustrate a very uncertain and unpromising future unless concrete decisions, with a time-bound implementation plan, are made by the 2020 Review Conference to rectify this trend;

(h) The establishment of nuclear-weapon-free zones in different parts of the world is an achievement the contribution of which to international peace and security should not be underestimated. However, they are incomplete unless and until a nuclear-weapon-free world is established. They contribute to the larger objective of nuclear disarmament, but are not a substitute for the total elimination of nuclear weapons worldwide. Other challenges with regard to such zones are, inter alia, the abstention of certain nuclear-weapon States from granting full, effective, non-discriminatory, unconditional and irrevocable legally binding security assurances to all the parties to treaties establishing these zones against the threat or use of nuclear weapons under all circumstances, as well as the absence of political will by certain non-parties to the Non-Proliferation Treaty in support of the establishment of such zones in other parts of the world. In this context, the refusal of the Israeli regime to participate in the implementation of the resolutions and decisions on the establishment of a nuclear-weapon-free zone in the Middle East is a living example;

(i) Despite the recent release, by certain nuclear-weapon States, of some information on their nuclear weapon arsenals, excessive secrecy prevents the public from knowing the exact number of nuclear weapons in the world. According to the latest estimates, today there exists more than 15,000 nuclear weapons worldwide. This means, quantitatively, there are nearly 79 per cent fewer than the Cold War peak of around 70,000 warheads in the mid-1980s. However, this is only one part of the fact regarding reduction of nuclear weapons. To have a complete and factual assessment about the quantity and quality of existing nuclear weapons worldwide,

their danger and reduction efforts, one should also take into account the following facts:

(i) Most of the reduced warheads have only been moved from operational status to various reserve, inactive or contingency categories, since concerned agreements, including the Strategic Arms Reduction Treaty, have not only failed to require the destruction of warheads, but have also ignored both non-strategic and non-deployed warheads, and thus most of more than 125,000 nuclear warheads that have been built since 1945 continue to exist and actually have not yet been dismantled. Nuclear disarmament, definitely, is beyond the mere decommissioning of nuclear weapons or reducing their number while preserving even the higher destructive power. Therefore, the principle of irreversibility, as agreed in the successive Review Conferences of the Treaty, has not been applied to such reductions. At the same time, reduction of nuclear weapons, however positive it may be, is not a substitute for their total elimination;

(ii) The yield of nuclear weapons has been increased from kilotons to megatons — through the replacement of atomic bombs (A-bombs) with hydrogen bombs (H-bombs), which are thousands of times more destructive than them — as a result of which most of the existing nuclear weapons would explode with a force roughly 8 to 100 times larger than the bombs dropped on Hiroshima and Nagasaki. Therefore, it is hardly acceptable to argue that, qualitatively, the destructive power of current nuclear weapons is less than that of the Cold War era;

(iii) According to the latest information released, in spite of clear commitments of the nuclear-weapon States, the role of nuclear weapons in their military concepts and doctrines is not diminished and remains an integral part of such doctrines. It is estimated that more than 2,200 existing nuclear warheads are on alert, ready for use in minutes or hours. This situation is also indicative of the continued existence of the risk of their accidental use and nuclear-weapon mishaps;

(iv) Despite reduction efforts by certain nuclear-weapon States, regrettably, all nuclear weapon possessors continue to modernize or upgrade their nuclear weapons arsenals and certain nuclear-weapon States have plans to develop new types of such weapons;

(v) Since the non-strategic nuclear weapons are designed for battlefield contingencies, the probability of their use is much greater than the strategic nuclear weapons. Much worse is that while none of the bilateral nuclear arms reduction agreements have covered the issues related to the non-strategic nuclear weapons, the development of new types of such weapons, including by many of the nuclear weapon possessors, continues unabated, which, by reducing the threshold for their use, increases the possibility and risk of their use. At the same time, although in the year 2000 certain nuclear-weapon States committed, in the framework of 13 practical steps, to "the further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process[5]" and reaffirmed this commitment in the 2010 action plan on nuclear disarmament,

unfortunately there is still no tangible progress in the implementation of such commitments;

(vi) Above all, one should also take into account the recent disappointing announcement by a certain nuclear-weapon State that it intends to continuously strengthen and expand its nuclear arsenal to make sure that it is at the "top of the pack" and is "never going to fall behind on nuclear power". In addition, such an important, yet imperfect, arms reduction treaty as the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms was criticized as "a one-sided deal" and "bad deal". All such provocative statements should be considered as a clear indication of, and an explicit invitation for, the start of a new nuclear arms race. As it runs counter to the obligations under article VI of the Non-Proliferation Treaty and clearly contradicts its object and purpose, which is an issue of concern to all non-nuclear-weapon States parties to the Treaty, it needs to be considered by the 2020 Review Conference;

(j) Contrary to the explicit obligations under articles I and II of the Treaty, nuclear-weapon-sharing between the nuclear-weapon States themselves or between them and non-nuclear-weapon States parties to the Treaty continues to exist, the living example of which is nuclear-weapon-sharing within a certain military alliance as well as with the countries known as the nuclear-weapon umbrella States. Such practices, by actual proliferation of nuclear weapons, including through their deployment in the territory of some non-nuclear-weapon States parties to the Treaty, seriously undermine the object and purpose of the Treaty and challenge its effectiveness and credibility. Regrettably, such unjustifiable practices are undertaken by those parties to the Treaty that pretend to be the greatest advocates of the non-proliferation of nuclear weapons;

(k) The commitment of the non-nuclear-weapon States under the Treaty in preventing the diversion of nuclear material from peaceful uses is effectively verifiable through the implementation of the concerned safeguards agreement. However, there is no established international mechanism to verify the compliance with the obligations under the Treaty by the nuclear-weapon States and those non-nuclear-weapon States parties engaged in agreements or arrangements on nuclear-weapon-sharing. Likewise, there is no established international mechanism to verify effectively the implementation of unilateral, bilateral and multilateral declarations made or agreements reached regarding the fulfilment of nuclear disarmament obligations in order to assure the international community of States of the actual reduction of nuclear weapons and their elimination. This situation is one of the essential challenges of nuclear disarmament that needs to be addressed by the Review Conference;

(l) Moreover, the abrogation of the Anti-Ballistic Missile Treaty — which was called by the 2000 Review Conference "a cornerstone of strategic stability and ... a basis for further reductions of strategic offensive weapons", and hence its "preserving and strengthening" was requested in the context of the 13 practical steps — and the acts of some nuclear-weapon States in deploying global missile defence systems in other countries are of a provocative and destabilizing nature. These are among the setbacks to the implementation of the agreements of the 2000 Review Conference;

(m) At the same time, taking into account the serious security threat that the existence of thousands of nuclear weapons continues to pose to the very survival of humankind and the fact that as long as such weapons exist, the risk of their possible use or threat of use persists, and thus their total elimination is the only absolute guarantee against their use or threat of use, there is a need, pending the realization of this objective and as an interim measure only, to grant to all non-nuclear-weapon States parties effective, universal, unconditional, non-discriminatory and irrevocable legally binding security assurances against the use or threat of use of nuclear weapons under all circumstances. Nevertheless, as current frameworks to provide such assurances are very limited, conditional and insufficient and above all can justify the use of such weapons by resorting to such concepts as "defending the vital interests" of a nuclear-weapon State or its "allies and partners", the lack of progress in this field is another challenge that intensifies the frustration of non-nuclear-weapon States parties with regard to the issues related to nuclear disarmament;

(n) Above all, in our view, the main challenge of nuclear disarmament is the lack of genuine political will by the nuclear-weapon States to fulfil their legal obligations under article VI of the Treaty and implement their unequivocal undertakings to accomplish the total elimination of their nuclear arsenals. A fair and realistic assessment of the actual results of policies, efforts, decisions, initiatives and other measures on nuclear disarmament at the unilateral, bilateral, regional and international levels indicates that, in the absence of a strong genuine political will by the nuclear-weapon States, even the adoption of the most practical decisions and action plans and above all, having in place a universal legally binding instrument, will not lead the international community of States to a nuclear-weapon-free world. The current lack of genuine political will by the nuclear-weapon States definitely will add to already existing frustration of the non-nuclear-weapon States. However, this will not be the only impact of the lack of political will. The persistence of this situation, with no doubt, will gradually erode the validity and credibility of the Non-Proliferation Treaty, lessen its effectiveness and have a negative impact on international peace and security, which certainly is not in the common interest of present and future generations.

IV. Nuclear disarmament: necessity of generating strong genuine political will to fulfil obligations and commitments

18. Achieving nuclear disarmament as the fundamental objective of the Non-Proliferation Treaty is of essential importance. Taking into account the current implementation status of the obligations on nuclear disarmament under the Treaty and final documents and action plans of its Review Conferences, and in line with action 5 (g) of the 2010 action plan on nuclear disarmament, through which the Conference decided to consider, during the 2015 Review Conference, "the next steps for the full implementation of article VI", and taking into account the failure of the 2015 Review Conference, the 2020 Review Conference is highly expected, by building upon the existing momentum on nuclear disarmament, created, inter alia, by the first ever high-level meeting of the General Assembly on nuclear disarmament, on 26 September 2013, and the three Conferences on the Humanitarian Impact of Nuclear Weapons, in 2013 and 2014, to take concrete actions to rectify the current status of implementation of the obligations and

commitments on nuclear disarmament so as to stop the ever-deepening frustration of the non-nuclear-weapon States, prevent the continuous erosion of the credibility of the Treaty and end the situations undermining the effectiveness of this important instrument.

19. To this end, the Islamic Republic of Iran proposes the following elements for their incorporation into the nuclear disarmament section of the final document of the 2020 Review Conference:

"*Reaffirming* that taking all necessary practical measures for the total elimination of all nuclear weapons worldwide, including to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control, is a legal obligation to which all States parties are committed under article VI of the Treaty;

"*Acknowledging* the strong support, expressed at the first ever high-level meeting of the General Assembly on nuclear disarmament, on 26 September 2013, for taking urgent and effective measures to achieve the total elimination of nuclear weapons and the "urgent compliance with the legal obligations and the fulfilment of the commitments undertaken on nuclear disarmament";

"*Expressing deep disappointment* over the lack of tangible progress so far in the implementation of the obligations under article VI of the Treaty and the unequivocal commitments under the 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty and the 2010 action plan on nuclear disarmament, and confirming the continued validity of all such obligations and commitments until all their objectives are achieved;

"*Underscoring* that the lack of practical progress in the fulfilment of obligations under article VI of the Treaty and the unequivocal commitments under the 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty and the 2010 action plan on nuclear disarmament cannot continue indefinitely, and therefore their implementation should be time-bound, defined by taking into account the long delay in the implementation of such obligations and commitments and the urgent need for their full and immediate fulfilment;

"*Confirming* that all States parties undertake to urgently commence the negotiations, in the Conference on Disarmament, for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use and to provide for their destruction as called for by the General Assembly in its resolutions 68/32, 69/58, 70/34 and 71/71;

"*Acknowledging* the momentum on nuclear disarmament, created, inter alia, by the first ever high-level meeting of the General Assembly on nuclear disarmament, on 26 September 2013, and the three Conferences on the Humanitarian Impact of Nuclear Weapons, in 2013 and 2014, and calling for more broad and active participation of States parties in the annual meetings of the General Assembly on the occasion of the International Day for the Total Elimination of Nuclear Weapons;

"*Reaffirming* that "the United Nations high-level international conference on nuclear disarmament" in 2018, the convening of which was

decided by the General Assembly in its resolution 68/32, provides the international community of States with a valuable opportunity to review the progress made in nuclear disarmament and make concrete decisions to advance the objective of a nuclear-weapon-free world, and accordingly urging all States parties to participate actively and at the highest possible level in that high-level international conference;

"*Urging* the United Nations high-level international conference on nuclear disarmament to consider, as a high priority, the adoption of a deadline for the total elimination of nuclear weapons worldwide;

"*Inviting* the States parties to take additional appropriate measures in further mobilizing the international efforts towards nuclear disarmament, in particular on 26 September of every year as the International Day for the Total Elimination of Nuclear Weapons, including through enhancing public awareness and education about the necessity for the total elimination of nuclear weapons and removing the threat posed to humanity by their continued existence;

"*Confirming* the commitment of all nuclear-weapon States to take concrete measures to diminish, and ultimately exclude completely, and no later than 2025, the role of nuclear weapons in their military and security doctrines, concepts and policies so as to ensure that there is no nuclear weapon in operational status;

"*Confirming* also the commitment of all nuclear-weapon States to cease completely, and no later than 2025, all plans aimed at upgrading and refurbishing their existing nuclear-weapon systems and their means of delivery, developing new types of nuclear-weapon systems and constructing any new facility for the development, deployment and production of nuclear weapons and their means of delivery at home and abroad;

"*Underlining*, once again, the importance of applying the principles of transparency, irreversibility and verifiability in all activities of nuclear-weapon States related to the fulfilment of their obligations on nuclear disarmament and the implementation of their unequivocal commitments to accomplish the total elimination of their nuclear arsenals, and deciding to consider, in the 2025 Review Conference, as a high priority, the establishment of a robust international mechanism for the verification of the fulfilment of nuclear disarmament obligations by the nuclear-weapon States;

"*Acknowledging* that the implementation of obligations under article VI of the Treaty is neither optional nor conditional and that, as unanimously concluded by the International Court of Justice in its advisory opinion of 8 July 1996, "the legal import of that obligation goes beyond that of a mere obligation of conduct; the obligation involved here is an obligation to achieve a precise result — nuclear disarmament in all its aspects — by adopting a particular course of conduct, namely, the pursuit of negotiations on the matter in good faith";

"*Deciding* to consider, as a high priority, during the 2025 Review Conference, the next steps for the full implementation of article VI of the Treaty."